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appreciate your vote on this amendment to the amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Dierks. We will now vote on the amendment to the amendment offered by Senator Dierks. All those in favor vote aye, opposed vote no. Record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the Dierks amendment to the Dierks amendment, Mr. President.

SPEAKER BAACK: The amendment to the amendment is adopted. The next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, I have a second amendment to the Dierks amendment. That's offered by Senator Lindsay. (The Lindsay amendment appears on page 839 of the Legislative Journal.)

SPEAKER BAACK: Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. Speaker. Members, this amendment will be coming around in a few minutes. This is the amendment that "Cap"...Senator Dierks referred to. It would do two things. If you look at AM2912, which is what we just adopted, this is an amendment to 2912. First, on page 2, line 8, it strikes 180 and inserts 60. That's what Senator Dierks referred to as lowering the...the aggregation period. The second thing it does is it changes the amounts to be aggregated, the amounts as far as the classifications. The Class III felony, instead of being 1,000 it would be 1,500; the Class IV felony, instead of being 300 to 1,000 would be 500 to 1,500; the Class I misdemeanor would be 100 to 500, and Class II misdemeanor would be less than 100. The reason for these two changes, first of all, is on the aggregation period. A six-month period is quite an extensive length of time and does not...it can very easily be...be interpreted by...or enforced by a prosecutor in choosing to file charges to...to include those situations that aren't schemes. The intent of the...of this entire aggregation area is to try to...to increase, to bump up the...the type of crime from misdemeanor felony or whatever in the event of a scheme. For example, an embezzlement that is ongoing might be a series of...of \$50 embezzlements. The intent of this is to view that as one scheme and if there is 100 of those, to move it up to a felony level. The problem is when you're talking about a 180-day period on check writing, you can